

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

VSTREAM TECHNOLOGIES, LLC

Plaintiff,

V.

PLR HOLDINGS, LLC, ET AL.

Defendants.

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CIVIL ACTION NO. 6:15-CV-974-JRG-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Before the Court is Plaintiff's Opening Claim Construction Brief (Doc. No. 130), to which Defendants¹ filed a Response (Doc. No. 136), and Plaintiff filed a Reply (Doc. No. 141). Defendants also filed a Supplemental Claim Construction Brief. (Doc. No. 146.) The parties additionally submitted a Joint Claim Construction Chart pursuant to P.R. 4-5(d). (Doc. No. 144.) On August 4, 2016, the Court held a claim construction hearing. (*See* Doc. No. 149, August 4, 2016 Hearing Transcript ("Tr.")) Magistrate Judge John D. Love filed a Report and Recommendation that contains his proposed findings and recommendations for the disputed claim terms that Defendants have challenged as indefinite. (Doc. No. 175.) Given that no objections to the Report and Recommendation were filed during the prescribed objection period, the Court hereby **ADOPTS** the Magistrate Judge's Report and Recommendation.

For the reasons stated in the Report and Recommendation, the Court **GRANTS** Defendants' Motion for Indefiniteness of the claim terms "sufficiently correct"/"not sufficiently correct," "means for determining whether the first decoding operation was sufficiently correct,"


¹ Defendants who have joined the claim construction briefing and hearing include: BlackBerry Corp., BlackBerry Limited, and Motorola Mobility LLC.

and “a pipe analyzer coupled between the processor module and the central processing unit for analyzing the components of the compressed video data and directing the components of the compressed video data into one of the pipelines of the central processing unit based on the analysis.”

The Court **DENIES** Defendants’ Motion for Indefiniteness of the claim terms “if it is determined that the recommendation should be accepted”/“if it is determined that the recommendation should not be accepted” and “based upon which pipeline is more suitable for processing the component” and **ADOPTS** the constructions for those terms set forth in the Report and Recommendation.

So Ordered this

Oct 22, 2016



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE